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Intellectual Property Law Patents Trademarks Copyrights

September 16, 2003

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Applicants:** Thomas Freeman et al.  
**Serial No.:** 10/604,591  
**Filing Date:** 08/01/2003  
**For:** Method of Treating Herpes Virus Infections  
**Our Reference No.:** 1372.50

**Examiner:** Unassigned  
**Art Unit:** Unassigned

Dear Sir:

Enclosed please find the following:

1. Information Disclosure Statement By Applicants- 2 pages;
2. Copies of three (3) U.S. Patent Documents;
3. Copies of seventeen (17) Non-Patent Literature Documents; and
4. Self-addressed, postage-prepaid postcard to serve as a receipt for items 1-3.

Very respectfully,

**SMITH & HOPEN**

By: Anton J. Hopen  
[anton.hopen@baypatents.com](mailto:anton.hopen@baypatents.com)

AJH/sb  
enclosure

**CERTIFICATE OF MAILING**  
(37 C.F.R. 1.8)

I HEREBY CERTIFY that this correspondence is being mailed with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 16, 2003.

Date: September 16, 2003

Shelley Butz

*Attorney-Client Privileged Communication*

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PTO/SB/08A (10-96)

Approved for use through 10/31/99. OMB 0651-0031

Approved for use through 10/31/03, GPO 2001-090  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE



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**Substitute for form 1449A/PTO**

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(use as many sheets as necessary)*

Sheet 1

of

***Complete if Known***

<b>Application Number</b>	10/604,591
<b>Filing Date</b>	08/01/2003
<b>First Named Inventor</b>	Thomas Freeman et al.
<b>Group Art Unit</b>	Unassigned
<b>Examiner Name</b>	Unassigned
<b>Attorney Docket Number</b>	1372.50

## **U.S. PATENT DOCUMENTS**

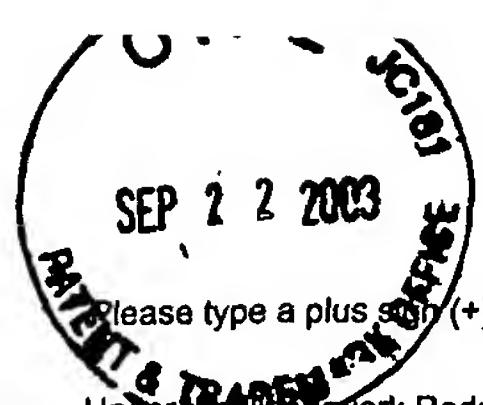
## **FOREIGN PATENT DOCUMENTS**

Examiner Signature		Date Considered	
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initial. Attach copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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PTO/SB/08B (10-96)

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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449B/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet

3

of

*Complet if Known*

Application Number	10/604,591
Filing Date	08/01/2003
First Named Inventor	Thomas Freeman et al.
Group Art Unit	Unassigned
Examiner Name	Unassigned

Attorney Docket Number 1372.50

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS		
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
	4	LANGEVIN ET AL.; Rabies Virus Glycoprotein (RVG) is a Trimeric Ligand for the N-Terminal Cysteine-rich Domain of the Mammalian p75 Neurotrophin Receptor; Journal of Biological;
	5	THOMAS FREEMAN; The Prospects for Vaccination Against Herpes Viruses; Power Point Presentation; 2001
	6	Herpesvirus Replication; <a href="http://darwin.bio.uci.edu/~faculty/wager/movietext.html">http://darwin.bio.uci.edu/~faculty/wager/movietext.html</a> ; 9/5/2001
	7	EISENBERG, Ph.D.; University of Pennsylvania School of Veterinary Medicine; 9/5/2001
	8	FERSON; Varicella Vaccine in Post-Exposure Prophylaxis; <a href="http://health.gov.au/pubhlth/cdi2501/cdi2501e.htm">http://health.gov.au/pubhlth/cdi2501/cdi2501e.htm</a> ; 9/5/2001
	9	KUTER ET AL.; Efficacy of OKA/Merck Varicella Vaccine After Concomitant Administration with M-M-R II; 9/5/2001
	10	Varicella Virus Vaccine Live (Oka/Merch); <a href="http://www.geocities.com/mom2q/CPVaccineInsert.htm">www.geocities.com/mom2q/CPVaccineInsert.htm</a> ; 9/5/2001
	11	Facts About Shingles (Varicella-Zoster Virus); <a href="http://www.niaid.nih.gov/factsheetsFS.htm">www.niaid.nih.gov/factsheetsFS.htm</a> ; 9/5/2001
	12	EHRMAN; A Potential Shingles Vaccine; <a href="http://www.nih.gov/news/WordonHealth/oct2000/story03.htm">www.nih.gov/news/WordonHealth/oct2000/story03.htm</a> ; 10/2000
	13	History of Rabies; <a href="http://justice.loyola.edu/~klc/BL472/Rabies/rabies~1.htm">http://justice.loyola.edu/~klc/BL472/Rabies/rabies~1.htm</a>
	14	MASCOLA; Herpes Simplex Virus Vaccines - Why Don't Antibodies Protect?; <a href="http://jama.ama.org/issues/v282n4/ffull/jed90053.html">http://jama.ama.org/issues/v282n4/ffull/jed90053.html</a> ; Vol 282, No. 4; 7/28/1999

Examiner Signature	Date Considered
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PTO/SB/08B (10-96)

Substitute for form 1449B/PTO		<i>Complete if Known</i>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>		Application Number	10/604,591
		Filing Date	08/01/2003
		First Named Inventor	Thomas Freeman et al.
		Group Art Unit	Unassigned
		Examiner Name	Unassigned
Sheet	3	of	Attorney Docket Number
1372.50			

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